



General Assembly

February Session, 2002

Raised Bill No. 85

LCO No. 542

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING CHILD RESTRAINT SYSTEMS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of subsection (c) of section 14-100a of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2002*):

4 (c) (1) The operator of and any front seat passenger in a private
5 passenger motor vehicle, as defined in subsection (e) of section 38a-
6 363, as amended, fire fighting apparatus or a vanpool vehicle equipped
7 with seat safety belts complying with the provisions of the Code of
8 Federal Regulations, Title 49, Section 571.209, as amended from time to
9 time, shall wear such seat safety belt while the vehicle is being
10 operated on the highways of this state, except that a child under the
11 age of [four] six years shall be restrained as provided in subsection (d)
12 of this section, as amended by this act. Each operator of such vehicle
13 shall secure or cause to be secured in a seat safety belt any passenger
14 [four] six years of age or older and under sixteen years of age.

15 Sec. 2. Subsection (d) of section 14-100a of the general statutes is
16 repealed and the following is substituted in lieu thereof (*Effective*

17 *October 1, 2002*):

18 (d) Any person who transports a child under the age of [four years,
 19 weighing less than forty pounds,] six years in a motor vehicle on the
 20 highways of this state shall provide and require the child to use a child
 21 restraint system, appropriate to the child's size and age and approved
 22 pursuant to regulations adopted by the Department of Motor Vehicles
 23 in accordance with the provisions of chapter 54. [Any person who
 24 transports a child under the age of four years, weighing forty or more
 25 pounds, in a motor vehicle on the highways of this state shall either
 26 provide and require the child to use an approved child restraint
 27 system or require the child to use a seat safety belt.] As used in this
 28 subsection, "motor vehicle" does not mean a bus having a tonnage
 29 rating of one ton or more. Failure to use a child restraint system shall
 30 not be considered as contributory negligence nor shall such failure be
 31 admissible evidence in any civil action. Any person who violates the
 32 provisions of this subsection shall, for a first violation, have committed
 33 an infraction; for a second violation, be fined not more than one
 34 hundred ninety-nine dollars; and, for a third or subsequent violation,
 35 be guilty of a class A misdemeanor. The commissioner shall require
 36 any person who has committed a first or second violation of the
 37 provisions of this subsection to attend a child car seat safety course
 38 offered or approved by the Department of Motor Vehicles. The
 39 commissioner may, after notice and an opportunity for a hearing,
 40 suspend for a period of not more than two months the motor vehicle
 41 operator's license of any person who fails to attend or successfully
 42 complete the course.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>

PH *Joint Favorable*